

34. An intraocular lens assembly according to any one of Claims 1, 12, or 27, wherein the optic is formed of a flexible optical material.

35. An intraocular lens assembly according to Claim 1, wherein the frame is formed of a generally rigid material and the optic is formed of a flexible optical material.

36. An intraocular lens assembly according to any one of Claims 1 or 12, wherein the frame has folding portions formed of a relatively soft material to provide for folding of the frame for insertion into an eye.

37. An intraocular lens assembly according to Claim 27, wherein the frame members have folding portions formed of a relatively soft material to provide for folding of the frame for insertion into an eye.

38. An intraocular lens assembly according to Claim 27, wherein the frame members are configured to vault posteriorly.

REMARKS/ARGUMENTS

Claims 1-30 are pending in the application.

Claims 1, 12, and 27 have been amended. Claims 31 – 38 have been added.

Claims 27-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claim 27 has been amended to remove the alternative expression on the last two lines of claim 27.

Anticipation Rejection under 35 U.S.C. § 102(b) – Hagege (FR 2 734 472 A1)

Claims 1-4 and 27-29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hagege et al., FR 2 734 472 A1. The Hagege reference does not teach, disclose, or otherwise make obvious the feature of claim 1 requiring “interengaging features on the frame and on the optic for attachment of the optic to the frame for limited optic movement relative to the frame.” The optic 21 of the Hagege lens is shown as fixed in the frame member 11. The optic 21 of the Hagege lens therefore is incapable of moving relative to the frame. In other words, the optic would always move together with the frame. Furthermore, the Hagege the frame member 11 appears to be uniplanar, see Fig. 5, whereas the lens of Applicant’s claim 1 requires that the “frame being configured to vault posteriorly.” With respect to

claims 27-29, Hagege clearly does not teach, disclose, or otherwise make obvious a “web secured to and extending between said frame members and having thereon an optic.” Applicant respectfully requests withdrawal of rejection to Claims 1-4 and 27-29 based on the Hagege reference.

Anticipation Rejection under 35 U.S.C. § 102(b) – Gorban (RU 2026040 C1)

Claims 1-4 and 27-29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Gorban et al., RU 2026040 C1.

The Gorban reference does not teach, disclose, or otherwise make obvious the feature of claim 1 requiring “interengaging features on the frame and on the optic for attachment of the optic to the frame for limited optic movement relative to the frame.” The optic of the Gorban optic 1 is shown as **fixed** in the frame member 2 and is therefore incapable of movement relative to the **frame member**. Both the optic and frame member would always move together. With respect to claims 27-29, Gorban clearly does not teach, disclose, or otherwise make obvious a “web secured to and extending between said frame members and having thereon an optic.” Applicant respectfully requests withdrawal of rejection to Claims 1-4 and 27-29 based on the Gorban reference.

Anticipation Rejection under 35 U.S.C. § 102(b) – Guibert et al. (FR 2 728 459 A1) and Obviousness Rejection under 35 U.S.C. § 103(a) – Guibert et al. (FR 2 728 459 A1)

Claims 1, 2, 5-13, and 16-30 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Guilbert et al., FR 2 728 459 A1.

Applicant respectfully disagrees that the bridges 31 of the frame 28 are haptics. Nevertheless, to further identify features of Applicant’s lens, claims 1 and 12 have been amended to require that the haptics have lateral edges disposed on the outer periphery of the frame. These side edges further describe the structure of Applicant’s lens. This feature is clearly distinguishable over the Guilbert reference which teaches a single **circular** frame/haptic.

Applicant’s claim 27, requires “a web secured to and extending between said frame members and having thereon an optic.” The Guilbert reference does not disclose or

otherwise make obvious this feature. To further describe Applicant's lens of claim 27, the following feature has been added "said frame members having lateral edges disposed on the outer periphery of the frame members." Clearly the Guilbert reference does not teach or otherwise make obvious this feature.

Claims 3, 4, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guilbert et al., FR 2 728 459 A1. Claims 3, 4, 14, and 15 are dependent from either independent claims 1 or 12, each of which as discussed above are not disclosed or made obvious. In determining obviousness, "the inquiry is not whether each element existed in the prior art, but whether the prior art made obvious the invention as a whole for which patentability is claimed. *See Harntess International, Inc. v. Simplimatic Engineering Co.*, 819 F.2d 1100, 2USPQ2d 1826 (Fed. Cir. 1987); *See also Panduit Corp v. Dennison Mfg. Co.*, 810 F.2d 1561, 1576 n.36, 1 USPQ2d 1593, 1604 n.36 (Fed. Cir. 1987). Therefore, claims 3, 4, 14, and 15 are not obvious under Guilbert.

Applicant respectfully requests withdrawal of rejection to Claims 1-30 based on the Gorban reference.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

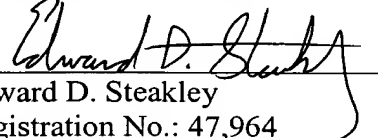
Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02090US0 from which the undersigned is authorized to draw.

Dated: *JANUARY 16, 2003*

Respectfully submitted,

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Version With Markings to Show Changes Made

1. An intraocular lens assembly for increased depth of focus, comprising:
a frame having haptics extending oppositely and longitudinally, said haptics having lateral edges disposed on the outer periphery of the frame [to engage peripheral portions of a capsular bag], said frame being configured to vault posteriorly in an eye of a person,
said frame having end portions to engage in the periphery of the capsular bag of an eye,
said frame defining a generally circular opening disposed through said frame, said opening positioned between inner portions of said haptics,
an optic sized and configured to engage in an edge portion of said frame opening, and
interengaging features on the frame and on the optic for attachment of the optic to the frame for limited optic movement relative to the frame,
whereby light refracted by the cornea of the eye travels an increased distance to the optic to substantially increase depth of focus.
12. An intraocular lens assembly for increased depth of focus, comprising:
a frame of generally rigid material and configured to vault posteriorly in an eye of a person, said frame having haptics extending oppositely and longitudinally, said haptics having lateral edges disposed on the outer periphery of the frame [therefrom to engage peripheral portions of a capsular bag],
said frame defining a central generally circular opening disposed through said frame,
said frame having transverse slots spaced oppositely from said frame opening, and
an optic adapted to be disposed adjacent said frame opening, said optic having mounting portions extending oppositely therefrom for engagement in said frame slots to retain the optic relative to the frame,
whereby light refracted by the cornea of the eye travels an increased distance to the optic to substantially increase depth of focus.

27. An intraocular lens assembly for increased depth of focus, comprising:
a pair of relatively rigid spaced-apart frame members adapted for engagement with the periphery of a capsular bag of the eye, said pair of frame members disposed oppositely and longitudinally about said optic, said frame members having end portions extending oppositely and transversely to engage in the peripheral portion of the capsular bag, said frame members having lateral edges disposed on the outer periphery of the frame members, and

a web secured to and extending between said frame members and having thereon an optic.

[said web being secured to the frame members by (a) integral molding with the frame members, (b) spot-welding, (c) fastener elements].

31. An intraocular lens assembly according to Claim 27, wherein the web being secured to the frame members by integral molding with the frame members.

32. An intraocular lens assembly according to Claim 27, wherein the web being secured to the frame members by spot-welding.

33. An intraocular lens assembly according to Claim 27, wherein the web being secured to the frame members by fastener elements.

34. An intraocular lens assembly according to any one of Claims 1, 12, or 27, wherein the optic is formed of a flexible optical material.

35. An intraocular lens assembly according to Claim 1, wherein the frame is formed of a generally rigid material and the optic is formed of a flexible optical material.

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